

AUG 31 2004

PTO/SB/31(06-03)
Approved for use through 7/31/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Docket Number (Optional)
100717-79/Bayer 10,197.2 KGB/TAGNOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 31st day of August 2004.

Agata Glinska
Agata Glinska

In re Application of
Neuser et al.

Application Number 09/402,737	Filed October 8, 1999
For Analgesic Combination	
Art Unit 1616	Examiner George M. Konata

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated August 23, 2004, finally rejecting claims 1-4,8,9,12,13,15-18,20,22, and 23.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

Applicant claims small entity status. See 37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is : \$.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263.

A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

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08/30/2004 09402737
File Re#: 00000001 DA#: 141263 09402737
FC#: 101

applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96).

attorney or agent of record.
Registration _____

attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) 42,597

31 August 2004

Date

Signature

(212) 808-0700
Telephone NumberTheodore A. Gottlieb
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.8. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.4. This collection is estimated to take 12 minutes to complete, including searching, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

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